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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,771	02/05/2002	Eiichi Tanaka	1080.1107	3358

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EXAMINER

GANTT, ALAN T

ART UNIT	PAPER NUMBER
2684	4

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/062,771

Applicant(s)

TANAKA ET AL.

Examiner

Alan T. Gantt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atkinson et al., in view of Ishigaki.

Regarding claim 1, Atkinson discloses the illumination and operability of a user interface of a radiotelephone. Atkinson discloses a portable terminal comprising:

a display unit for displaying a screen; (page 1, lines 23-27)

an operation member for being operated by a user; (page 1, lines 23-27

[keyboard])

a first light for lighting up the display unit; (page 1, lines

a second light for lighting up the operation member; (col. 6, lines 1-14)

a light sensor for detecting external brightness; (page 1, line 29 to page 2, line 9)

Atkinson is not concerned with turning on the lighting in response to a predetermined first event.

Ishigaki discloses a mobile telephone with a backlight function. Ishigaki includes a control section or light control unit that both turns on a first light (back light) when any key is operated and further when a key is considered valid and is operated after the light

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is activated and before a timer expires, a second light for illuminating the display section is activated. Thus, Ishigaki meets the following limitation:

a light control unit for turning on the first light, as well as turning on the second light according to external brightness detected by the light sensor, in response to occurrence of a predetermined first event. (col. 5, lines 5-47)

Atkinson and Ishigaki are combinable since they share a common endeavor, namely, lighting control for mobile telephone terminals. At the time of the applicant's invention it would have been obvious to modify Atkinson to include a predetermined trigger to turn on the lighting as done by Ishigaki for greater power conservation control.

Regarding claim 2, Atkinson meets the limitation: The portable terminal according to claim 1 further comprising, instead of the light control unit, a light control unit for turning on the first light according to external brightness detected by the light sensor as well as turning on the second light according to external brightness detected by the light sensor in response to occurrence of a predetermined first event. (page 6, line 28 to page 7, line 7)

Regarding claim 3, Atkinson meets the limitation: The portable terminal according to claim 1, wherein the light control unit turns on the first light with brightness according to external brightness detected by the light sensor. (page 6, line 28 to page 7, line 7)

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Regarding claim 4, Atkinson meets the limitation: The portable terminal according to claim 2, wherein the light control unit turns on the first light with brightness according to external brightness detected by the light sensor. (page 6, line 28 to page 7, line 7)

Regarding claim 5, Atkinson meets the following limitations: The portable terminal according to claim 1 comprising:

a light emitter for indicating occurrence of a predetermined second event by lighting up or winking; (page 6, line 28 to page 7, line 7)

wherein the light sensor and the light emitter are arranged in proximity to each other; (page 2, lines 18-26 and page 10, lines 7-38) and

a window having a light transmitting member which covers and is used for both the light sensor and the light emitter. (page 2, lines 18-26 and page 10, lines 7-38)

Regarding claim 6, Atkinson meets the limitation: The portable terminal according to claim 2 comprising:

a light emitter for indicating occurrence of a predetermined second event by lighting up or winking; (page 6, line 28 to page 7, line 7)

wherein the light sensor and the light emitter are

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arranged in proximity to each other; (page 2, lines 18-26 and page 10, lines 7-38)

and

a window having a light transmitting member which covers and is used for both the light sensor and the light emitter. (page 2, lines 18-26 and page 10, lines 7-38)

Regarding claim 7, Atkinson meets the limitation: The portable terminal according to claim 1 wherein the light control unit accepts operation of the operation member as the first event. (page 7, lines 5-7)

Regarding claim 8, Atkinson meets the limitation: The portable terminal according to claim 2 wherein the light control unit accepts operation of the operation member as the first event. (page 7, lines 5-7)

Regarding claim 9, Ishigaki meets the limitation: The portable terminal according to claim 1 wherein the light emitter accepts an arrival of a call as the second event. (col. 5, lines 5-19)

Regarding claim 10, Ishigaki meets the limitation: The portable terminal according to claim 2 wherein the light emitter accepts an arrival of a call as the second event. (col. 5, lines 5-19)

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Vance et al. discloses an electronic device, with keypads, that illuminate to proximity of a user.

Kawano et al. discloses a telephone terminal device having a through hole positioned immediately beneath at least one key button that illuminates the key button.

Morgenthaler discloses a user interface with guide lights for a mobile telephone to assist the user in the correct and efficient operation of the device.

Any inquiry concerning this communication from the examiner should be addressed to Alan Gantt at telephone number (703) 305-0077. The examiner can normally be reached between 9:30 AM and 6 PM within the Eastern Time Zone. The group FAX number is (703) 872-9306.

Any inquiry of a general nature or relating to this application should be directed to the group receptionist at telephone number (703) 305-4700.

Alan T. Gantt

Alan T. Gantt

April 17, 2004

Nick Corsaro
NICK CORSARO
PATENT EXAMINER